

EPA Region 5 Records Ctr.



268367

Affidavit, December 28, 1989

Johann Wagner re: EM Property

~~EM Property~~

0608550

AFFIDAVIT

STATE OF Minnesota)
COUNTY OF Stearns) ss.

Johann Wagner, being first duly sworn, deposes and says:

1. I am an employee of ABB Power Distribution Inc.
2. I am making this affidavit based on information available to me and the belief that such information is accurate; however, I do not have firsthand knowledge of all the matters contained in this affidavit.

3. This affidavit is made pursuant to Minn. Stat. § 115B.16, Subd. 2.

4. ABB Power Distribution Inc. owns real estate in Stearns County, Minnesota, described in Exhibit A attached to this affidavit. Said real estate is referred to herein as "The Land".

5. The Land has allegedly been used to dispose of hazardous waste, and The Land is contaminated by release of a hazardous substance, according to assertions made by the Minnesota Pollution Control Agency.

6. The Land was used as the site of a plant consisting of a manufacturing facility which manufactured gas and steam turbines, electric generators and related equipment. The Land was used for this purpose from prior to 1975 until approximately 1983. The manufacturing processes occurring on

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The Land used solvents and generated waste solvents, which were allegedly spilled, dumped or otherwise released onto and into The Land. Such wastes would be characterized as hazardous wastes, but it has not been ascertained to what extent such wastes may have been released onto or into The Land.

7. Minn. Stat. § 115B.16, Subd. 2(c) purports to require a disclosure that the use of The Land or some portion of it may be restricted as provided in Minn. Stat. § 115B.16, Subd. 1, which applies to "disposal facilities".

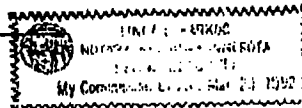
FURTHER YOUR ASSISTANT SAITH NOT.

Dated: December 28, 1989

Johann Wagner
Johann Wagner

Subscribed and sworn to before me
this 19th day of December, 1989.

Linda A. Rasmussen
Notary Public



Drafted By:

Raggre & Benson (RLR)
2240 Northwest Center
903 South Seventh Street
Minneapolis, MN 55402

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EXHIBIT A

That part of the Southeast Quarter (SE 1/4), of Section Numbered Eight (8), in Township Numbered One Hundred Twenty-four (124) North, of Range Numbered Twenty-eight (28) West, lying Westerly of First Addition to St. Cloud Industrial Park, and Northerly of the North right-of-way line of the Great Northern Railway Company, and Easterly of the following described line: Beginning at a point on said North right-of-way line of the Great Northern Railway Company, said point being 723 feet East of the West line of said Southeast Quarter (SE 1/4) of Section Eight (8) as measured at right angles thereto; thence North and parallel with said West line of said Southeast Quarter (SE 1/4) to its intersection with the North line of said Southeast Quarter (SE 1/4) of Section Eight (8) and there terminating.

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PATRICIA M. OVERMAN
COUNTY RECORDER
BY *[Signature]*

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